

REMARKS

This Amendment cancels claims 1-19, adds new claims 20-33 and amends the specification. New claims 20-33 correspond to claims 1-5 and 7-19. The changes to the specification merely insert headings and relocate the brief description of the drawings. Claims 20-33 are pending.

The objection to the abstract is respectfully traversed. The Preliminary Amendment filed with the application included a substitute abstract which does not contain "comprises" or other legal phraseology. Reconsideration and withdrawal of the objection to the abstract are earnestly requested.

This Amendment inserts applicable headings into the specification in accordance with the Examiner's helpful suggestion.

This Amendment overcomes the 35 U.S.C. § 112, second paragraph, rejection of claims 1-12 as indefinite. More particularly, claims 1-12 have been canceled in favor of new claims 20-33. The new claims have been drafted to avoid the informalities noted in the Official Action. Reconsideration and withdrawal of the indefiniteness rejection of claims 1-12 are earnestly requested.

The 35 U.S.C. § 102(b) rejection of claims 1-12 over Japanese Patent application 2000-325,814 to Shoda is respectfully traversed. New claims 20-33, like canceled claims 1-12, are method claims. The claimed method for biological decomposition of waste includes a pre-treatment step in which, inter alia, water is added to bring the waste to a pumpable condition, followed by an anaerobic decomposition step.

Shoda fails to disclose either of these two features of the claimed method.<sup>1</sup> Instead, Shoda discloses a method for pretreating food waste by removing water, followed by composting the dried waste. Composting is an aerobic decomposition process rather than an anaerobic process.

Reconsideration and withdrawal of the anticipation rejection of claims 1-12 over Shoda are respectfully requested.

The 35 U.S.C. § 102(b) rejection of claims 1-12 over U.S. Patent No. 4,813,619 to Tjumanok et al. is also traversed. As discussed above, the claimed method for biological decomposition of waste includes a pre-treatment step which includes the addition of water, followed by an anaerobic decomposition step.

---

<sup>1</sup>A computer generated translation of Shoda is attached for the convenience of the Examiner.

Tjumanok et al. fails to disclose the claimed method for biological decomposition of waste. Instead, this reference merely discloses a disintegrator. Reconsideration and withdrawal of the anticipation rejection of claims 1-12 over Tjumanok et al. are earnestly requested.

The 35 U.S.C. § 102(b) rejection of claims 1-12 over U.S. Patent No. 4,691,867 to Iwako et al. is traversed. The claimed method for biological decomposition of waste includes a pre-treatment step, followed by an anaerobic decomposition step.

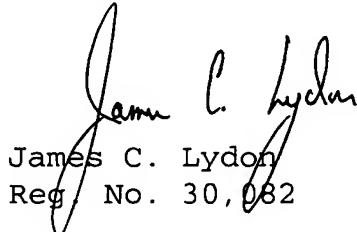
Iwako et al. fails to disclose the claimed method for biological decomposition of waste. Reconsideration and withdrawal of the anticipation rejection of claims 1-12 over Iwako et al. are earnestly requested.

A Supplemental Information Disclosure Statement is attached.

It is believed this application is in condition for allowance. Reconsideration and withdrawal of all rejections of claims 1-12, and issuance of a Notice of Allowance directed to claims 20-33, are earnestly requested. The Examiner is urged to telephone the undersigned should she believe any further action is required for allowance.

It is not believed any fee is required for entry and consideration of this Amendment. Nevertheless, the Commissioner is authorized to charge our Deposit Account No. 50-1258 in the amount of any such required fee.

Respectfully submitted,



James C. Lydon  
Reg. No. 30,082

Atty. Case No.: OHMAN-001  
100 Daingerfield Road  
Suite 100  
Alexandria, Virginia 22314  
Telephone: (703) 838-0445  
Facsimile: (703) 838-0447

Enclosures:

Computer Translation of JP 2000-325814 to Shoda  
Supplemental Information Disclosure Statement